

ORDINANCE NO. 2018-01

INTRODUCED BY: COUNCIL AS A WHOLE

**AN ORDINANCE REAPPOINTING LUKE F. MCCONVILLE AS
LAW DIRECTOR EFFECTIVE FEBRUARY 1, 2018, AND
DECLARING AN EMERGENCY.**

WHEREAS, the Council desires to reappoint Luke F. McConville as City Law Director.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
UNIVERSITY HEIGHTS, OHIO THAT:**

Section 1. Reappointment

Luke F. McConville is hereby reappointed Law Director of the City of University Heights, Ohio, effective February 1, 2018 and for a term expiring at the end of January 31, 2020;

Section 2. Basic Services

Subject to the compensation provisions herein, the Law Director, on a part-time basis shall: administer the Department of Law in accordance with all applicable laws; shall appoint and supervise the conduct of the Assistant Law Director-Prosecutor and shall provide such other basic legal services as may be further specified by City Council;

Section 3. Compensation for Legal Services

As of February 1, 2018, the Law Director shall be compensated in the form of annual salary in the amount of \$65,000.00. The City shall make contributions on the Law Director's behalf to the Ohio Public Employees Retirement System. The Law Director shall provide the following services:

- (a) General legal services, provide advice to the Mayor, members of Council, department heads, attendance at meeting of Council, Directors' meetings, Board of Zoning Appeals, Planning Commission and Civil Service Commission meetings, and any other meetings, if any, designated by City Council or the Mayor.
- (b) In addition, additional services, as authorized by the Mayor or Council, including, but not limited to, services for litigation after commencement of the legal process, shall be compensated hourly at the rate of \$175.00 per hour, which shall not be subject to contribution to the Public Employees Retirement System.

Section 4. Funding

City Council shall budget and appropriate all funds necessary and incidental for the expenses and compensation required for the Department of Law and as provided in this Ordinance.

Section 5. Indemnification

The City shall save the Prosecutor and each employee, agent, assistant or associate of the law department harmless and indemnify each from any and all damages or liability claimed, asserted or adjudicated through civil or criminal litigation or proceedings before any court or administrative agency, and the City shall indemnify all costs or expenses for the defense thereof and pay all judgements for money damages awarded as result of undertaking the responsibilities described herein.

Section 6. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

Section 7. This Ordinance is declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of the City of University Heights, Ohio, for the reason that Mr. McConville's appointment expires as of January 31, 2018. It shall therefore become effective upon its passage by the affirmative vote of not less than five (5) members of Council and approval by the Mayor; otherwise, it shall become effective at the earliest time allowed by law.

CITY OF UNIVERSITY HEIGHTS, OHIO


MICHAEL DYLAN BRENNAN, MAYOR

FIRST READING: 01/16/2018

PASSED: 01/16/2018

ATTEST:


KELLY M. THOMAS, CLERK OF COUNCIL

APPROVED AS TO FORM:


LUKE F. MCCONVILLE, LAW DIRECTOR